

FILED

OCT 12 2011

DENNIS J. MARONE, CLERK
US DISTRICT COURT, EDNC
BY: *[Signature]* DEP. CLK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

UNITED STATES OF AMERICA,
Petitioner,

v.

JOHN MARVIN BALLARD,
Respondent.

No. 5:10-HC-2155-D

OBJECTION TO ORDER OF
MAGISTRATE JUDGE

John Ballard, the respondent in this matter, objects to the order rendered of Magistrate Judge James E. Gates with respect to respondent's pro se motions for the exclusion of government-selected examiners (D.E. 45, 46).

John Ballard's objections are:

1. These motions are extremely important and needed to be filed.
2. As explained in Mr. Ballard's letter to the Clerk of the Court when he submitted the motions for filing, *the only way for the motions to be filed was to file them pro se as Mr. Ballard's court-appointed counsel REFUSED to file them on his behalf.*
3. On August 15, 2011, Notice of Appearance was filed recognizing Mr. Ballard as an attorney of record to be noticed. With that filing was a letter to the Clerk of the Court dated August 11, 2011, explaining the need to assist his court-appointed attorney.

DATED: October 6, 2011

Respectfully submitted,

John Ballard

John Ballard, 84650-012

Butner CTP

PO Box 1000

Butner, NC 27509-1000

CERTIFICATE OF SERVICE

I have this day mailed a copy of this Motion to Government Counsel as follows :

Michael E. Lockridge
Butner Legal Center
Federal Bureau of Prisons
PO Box 1000
Butner, NC 27509

Seth Wood
US Attorney's Office
310 New Bern Ave, Room 800
Raleigh, NC 27601-1461

W. Ellis Boyle
US Attorney's Office
310 New Bern Ave., Room 800
Raleigh, NC 27601

R.A. Renfer Jr.
US Attorney's Office
310 New Bern Ave., Room 800
Raleigh, NC 27601

Dated: October 7, 2011

A handwritten signature in cursive script, reading "John Ballard", written over a horizontal line.